Women under Pennsylvania Laws

1 9 1 4

Issued by

Pennsylvania Woman Suffrage Association

Apart from political rights, there is so little variance in the laws of Pennsylvania as between men and unmarried women, that the differences pointed out in this leaflet may be taken as especially applying to married women.

PROPERTY:

(1) A wife cannot sell and convey real estate unless husband joins in the deed; husband may do so without wife's consent, subject to her dower right.

(2) A wife cannot mortgage her real estate without the joinder of her husband; the husband is subject to no such limitations. (Purchase money mortgage given by wife excepted.) Husband may mortgage to the full value of property without wife's knowledge, thus frequently depriving her of her dower rights.

(3) A wife may not make or endorse note for another or become guarantor or surety for another, not even her husband; husband has the privilege without limitation, and thereby frequently beggars himself and family.

(4) A wife's fixed interest in husband's estate is called "dower"; husband's interest in wife's estate is called "curtesy", the latter being much more valuable. Wife's "dower" is a life interest in one-third of husband's real estate; husband's "curtesy" is life interest in all of wife's real estate.

(5) A wife as well as a husband may dispose of estate by will. If there are children and no will, husband takes all real estate for life and shares equally with children in

personal property. Wife, in such case, takes one-third personal property absolutely, and one-third interest in realty. Where there are no children and no will, wife takes entire estate up to $5000.00 (in addition to the regular $300.00 exemption) and beyond this she takes one-half of the personalty and a life interest in one-half of the realty. Husband takes all personalty and life interest in all realty.

(6) The will of an unmarried woman is revoked by marriage; that of a man is not save that the wife's dower is secure.

(7) Appointment of widow as administrator of husband's estate is discretionary with the Register, but husband is entitled to administer his wife's estate in preference to all other persons.

PERSONAL:

(1) Husband may collect damages for injury to wife; wife cannot collect for injury to husband. He, only, is entitled to damages for personal injury to himself not resulting in death.

(2) The father may bring action for damages for injury to child; mother cannot if father is living, except in a few rare cases.

In case of seduction of minor daughter the right of action is in the father and not in the mother.

(3) Husband has the right to fix or to change the family domicile, and it is the "duty" of the wife to follow him.

(4) The mother is punishable for concealing the death of an illegitimate child; the father is not.

(5) The father of an illegitimate child is bound for its support only as the Court may direct, which is rarely, if ever, beyond seven years. The mother of such child, on the contrary, not only carries the whole burden of shame but the legal burden of its maintenance.

(6) An illegitimate child does not inherit from its father; but does from its mother.

(7) The father is the legal guardian of his legitimate children. The mother has equal guardianship rights only when "she contributes by the fruits of her own labor or otherwise toward the support or maintenance and education of her said minor child."

(8) The father has the right to appoint, by his will, a guardian of the person and estate of his unmarried child without the mother's consent, even though the child is yet unborn, with the restriction that he forfeits this right "if for one year or upwards previous to his death he willfully neglects or refuses to provide for the child", and that the mother has equal rights with the father when she contributes toward the support and education of the child. The mother, on the other hand, has this right only in case "the father be not living or being deceased has not appointed such guardian", or where the father has "neglected or refused to provide for his wife and children, or has deserted them" or where she has been appointed testamentary guardian of her children by her husband's will, or where she contributes toward the support and education of her minor child, provided she is a proper person to have the control and custody of the child.

GENERAL:

(1) Age of consent is 16 for girl of good repute.

(2) For only one of the serious offenses against women, that of bringing women into the state for immoral purposes, is there a minimum as well as a maximum penalty. In the cases of rape, seduction, prostitution of girls under 16, causing or permitting a minor to be sent to an immoral place, receiving money from proprietors or inmates of houses of prostitution, keeping a bawdy house, assault with intent to commit rape, pandering, placing wife in house of prostitution, detaining in house of prostitution, there is a maximum but no minimum penalty. As a result, the most trifling sentences are continually being imposed. For example: A man convicted of engaging in the white slave traffic in one

of the county courts in Pennsylvania was sentenced to pay a fine of six and one-fourth cents, and to serve six months in the work house.

(In one of our magistrate's courts recently a man was charged with obscenity. On the testimony of four high school girls he was convicted and sentenced to pay a fine of $15.00. The following day his fine was remitted.)

(3) Under an act of 1913 pensions are provided for indigent, widowed or abandoned mothers for partial support of children in their own homes. The fund is administered by a board of women in each county appointed by the governor. No county receives its allotment of the state's money unless it provides an amount equal to that provided by the state.

(4) Hours of labor for women are now restricted to ten a day, fifty-four a week.

(5) A woman is eligible to any profession. It has been determined that she may be a Notary Public, a Commissioner, an Overseer of the Poor, a School Director, or other school officer.

WOMEN IN PENNSYLVANIA MAY NOT VOTE FOR ANY OFFICE

* A list of statutes and citations of cases will be given upon application.

WOMEN DO VOTE IN WYOMING, COLORADO, IDAHO, UTAH, WASHINGTON, CALIFORNIA, OREGON, ARIZONA, KANSAS AND ALASKA.

WHY NOT IN PENNSYLVANIA?

THE PENNSYLVANIA LEGISLATURE HAS PASSED A RESOLUTION PROVIDING FOR A CONSTITUTIONAL AMENDMENT TO GIVE WOMEN VOTES. WHEN APPROVED BY THE NEXT LEGISLATURE, THIS AMENDMENT WILL GO TO THE VOTERS IN 1915. WILL YOU HELP IT WIN?

For further information, apply to

Pennsylvania Woman Suffrage Association

STATE HEADQUARTERS: 201 ARCADE BUILDING, HARRISBURG, PA.